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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/711,403

11/13/2000

Kenneth Charles Cox

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04/12/2006

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EXAMINER

AMINI, JAVID A

ART UNIT

PAPER NUMBER

2628

DATE MAILED: 04/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/711,403

Applicant(s)

COX ET AL.

Examiner

Javid A. Amini

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 93-114 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 2/17/2006 has been entered.

Claim Objections

Claims 93 and 105 objected to because of the following informalities: on page 2, line 16 the term "a fourth portion" of the claim 93 and on page 5, line 21 of the claim 105 the same term "a fourth portion" confuse the reader with the first/second and third portions. When the first portion has been edited, Applicant refers it to "a fourth portion". In order to clear confusion, or ambiguity the term should be referred as "edited first portion". Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 93-102 and 104-113 rejected under 35 U.S.C. 103(a) as being unpatentable over Pierrat et al. US Patent number 6,792,590 B1, (hereinafter referred as Pierrat), and further in view of Powers US Patent number 5,956,691.

Claim 93.

In a call center comprising a plurality of agent stations and agents, a method comprising: Pierrat at col. 1 lines 58-60 conceptually teaches automatically identifying evaluation points where errors are computed and analyzed to achieve improved agreement between a design layout and an actual printed feature. Examiner's comments: Pierrats' work may apply to a call center environment as Applicant on page 2 of the specification discloses that, quote: "for example, in a telecommunications call center environment, data related to each operator, to each operator station, and to various call center functions may be stored in a central database and converted to data tables for analysis by call center operations managers". The next three steps of the claim claim "(a) receiving a first set of data values, the data being related to each agent, each agent station, and a call center function and being stored in a tabular form; (b) generating a first graphical image representative of the first set of data values; (c) receiving a user selection of first and second data values in the first set of data values on the first graphical image, a first portion of the first graphical image being positioned between the selected first and second data values and second and third portions of the first graphical image being positioned on either side of the first and second data values;". Examiner's interpretation: Pierrat in fig. 8D illustrates similar to Applicant's first graphical image i.e. contained a first portion, e.g., 829, and the right side of the 829 may be called third portion also the left side may be called a second portion. Applicant claims in the next step as follows: "(d) receiving a user selection of an editing function from

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among a plurality of predetermined editing functions”. Pierrat at col. 21 lines 37-47 teaches as described with respect to fig. 5. Based on the rates of change of model amplitude along the edge, such as the first and second derivative, the edge is divided into segments. For example, a segment is formed for every change in model amplitude along the edge above a predetermined minimum change. For another example, a segment is defined between every inflection point where the second derivative crosses zero. These segments are not derived from the dissection parameters, but are directly observed on the certain edges. Dissection points are then placed at the segment endpoints and an evaluation point is placed between each pair of dissection points. Examiner’s interpretation regarding the editing function: Pierrat in fig. 2 shows the processes and layouts for designing and fabricating printed features layers 249 for devices 250. The conventional processes are modified to include new techniques for selecting evaluation and dissection points, as represented in fig. 2 by process 260. Pierrat in figs. 5c and d illustrates an editing function as first/second derivatives of a graph. Examiner’s interpretations: Pierrat in fig. 5b illustrates distance vs amplitude, e.g., the number of points on x axis may be equivalent to location of each agent station, and on the y axis may be represented the number of calls that each agent operated. The step of (e) discloses: “applying the user selected first editing function to the first portion of the first graphical image but not the second and third portions of the first graphical image to generate a second graphical image, the second graphical image comprising the second and third portions on either side of the first and second data values and a fourth portion between the first and second data values, the fourth portion being generated from application of the user selected first editing function to the data values in the first portion and being different from the first portion”. Pierrat does not explicitly use similar language, e.g., an

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editing function, however, according to Examiner's interpretations fig. 8d, *id.*, can be applied to fig. 5b and a user may select the first portion of the first graphical image (i.e. two points) first derivative function (as first editing function), and the claim language claims but not the second and third portion. Examiner's note: the claim does not specify the range of first portion i.e. the start and end points (the same argument applies to second and third portions). Therefore, a person skilled in the art may select the start/end points in the fig. 5b and applies the first derivative to it and generates the second graphical image as in fig. 5c. Which is similar to the step of (f) revising the first set of data values to yield a second set of data values conforming to the second, third, and fourth portions of the second graphical image. However, Powers in figs. 7-8 edited the interest rate 74E from 3.00 to 4.00 and the mortality charges (Examiner's interpretation: may be considered as first portion of the first graphical image and the total premiums/expenses in figs. 7-8 may be considered as second/third portions of the first graphical image). By comparing fig. 7 and fig. 8 the person skilled in the art recognizes the mortality charges has been changed and on the other hand the total premiums and expenses have not been changed. The results displayed in fig. 8. Power does not cover a call center, however, it relates generally to the field of computer-based systems regarding insurance information, and more particularly, to a graphical user interface for entering and graphically displaying insurance policy. A user can enter data. Thus, evidence of similar properties disclosed in the prior art that would be expected to be shared by the claimed invention weighs in favor of a conclusion that the claimed invention would have been obvious.

It would have been obvious to one of ordinary skill in the art at the time of the invention to substitute applicant's described structure, that relates to display systems and, more

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particularly, to interactive displays for the presentation and manipulation of data, by incorporating the teaching of Powers into Pierrat to represent the data manipulation in a clear graphical image, see figs. 7 and 8 of Powers.

Examiner's suggestion: Applicant may be overcome the references by providing limitations for the first, second and third portions. For clarity purposes "a fourth portion" may be referred as an edited first portion.

Claim 94.

The method of claim 93, wherein the first set of data values is a table, wherein the table includes a plurality of measurements of a parameter, wherein the parameter has a time varying value, and wherein the set of data values comprises a number of agents assigned to a selected task during a selected time period. A data table is obvious for measuring of parameters. Powers in figs.3-6 illustrates a time varying value (i.e. different ages). The number of agents assigned to a selected task is obvious.

Claim 95.

The method of claim 94, wherein the table is used to simulate a workflow process and wherein the second set of data values is a simulation of call center operations based on the first set of data values. The claim invention is obvious because a table is used to arrange data, and the table cannot simulate a workflow process by itself. Otherwise Applicant requires claiming the formula or the process. Also the process for simulating data in the table is not in the claim.

Claim 96.

The method of claim 93, further comprising: (f) displaying a value associated with a specified location on at least one of the first and second graphical images in response to the user

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positioning a cursor over the specified location, wherein the value is displayed in the vicinity of the cursor. The step is obvious because the claim discloses that the specified location is on the first and second graphical images. However, Applicant does not specify where exactly the location located, a person skilled in the art may specified the location on the first portion that has been argued in claim 93.

Claims 97-98.

Powers at col. 4, line 3 teaches that the data can be displayed in line graphs, area graphs, and bar graphs.

Claim 99.

The method of claim 93, wherein the first and second graphical images comprise a time-series of values associated with comparable measures and wherein the first set of data values is in the form of a plurality of cells, each cell containing a data value. Powers in figs.3-6 illustrates a time varying value (i.e. different ages). For the last part of the claim a data table with rows and columns covers the limitation of the claim invention.

Claim 100.

The method of claim 93, further comprising: (g) receiving from the user a repositioning of at least one point on the first portion of the first graphical image, wherein the user repositions the at least one point using a user manipulable affordance positioned on the first graphical image, wherein the affordance is repositioned using a click-and-drag operation, and wherein the second set of data values conforms to the repositioned at least one point. Pierrat in fig. 8E illustrates one location 840 m on the first portion of the first graphical image. Pierrat in fig. 12 illustrates that a type of user input device is cursor control 1216, such as a mouse, a trackball, or cursor direction

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keys for communicating direction information and command selections to processor 1204 and for controlling cursor movement on display 1212. This input device typically has two degrees of freedom in two axes, a first axis (e.g., x) and a second axis (e.g., y), that allows the device to specify positions in a plane.

Claim 101.

The method of claim 100, wherein, when the user selects a first mode, a plurality of affordances are displayed on the first graphical image. Powers illustrates a plurality of affordances in figs. 3-15.

Claim 102.

The method of claim 93, wherein a representation of each of the plurality of editing functions is displayed with the first graphical image in one or more dialog boxes. Powers illustrates a plurality of affordances in figs. 3-15.

Claim 104.

A computer readable medium comprising processor executable instructions to perform the steps of claim 93. Pierrat in fig. 12 illustrates that a type of user input device is cursor control 1216, such as a mouse, a trackball, or cursor direction keys for communicating direction information and command selections to processor 1204 and for controlling cursor movement on display 1212. This input device typically has two degrees of freedom in two axes, a first axis (e.g., x) and a second axis (e.g., y), that allows the device to specify positions in a plane.

Claim 105.

The rejection of claim 93 applies to the rejection of claim 105.

Claim 106.

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The rejection of claim 94 applies to the rejection of claim 106.

Claim 107.

The rejection of claim 95 applies to the rejection of claim 107.

Claim 108.

The rejection of claim 96 applies to the rejection of claim 108.

Claims 109- 110.

The rejection of claim 97 applies to the rejection of claim 109.

Claim 111.

The rejection of claim 99 applies to the rejection of claim 111.

Claim 112.

The rejection of claim 101 applies to the rejection of claim 112.

Claim 113.

The rejection of claim 102 applies to the rejection of claim 113.

Claims 103 and 114 rejected under 35 U.S.C. 103(a) as being unpatentable over Pierrat, Powers and further in view of Microsoft Office 2000 professional edition (G. Courter; A. Marquis, dated 1999; ISBN 0-7821-2313-9), hereinafter referred as an Office2000).

Claims 103 and 114.

Wherein the plurality of editing functions include a plurality of a normal distribution, a Gaussian distribution, a Poisson distribution, a uniform editing function, a double ramp editing function, and an exponential editing function. The two references Pierrat and Powers do not explicitly

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specify the plurality of editing functions include a plurality of a Gaussian distribution, a Poisson distribution, a uniform editing function, a double ramp editing function, and an exponential editing function. Office2000 (i.e. used in previous office action) does not teach a call center. (Examiner's note: The Office2000 contains Microsoft Excel i.e. an electronic spreadsheet program. You might of heard the terms "spreadsheet" and "worksheet". People generally use them interchangeably. The term *worksheet* refers to the row-and-column matrix sheet on which you work upon and the term *spreadsheet* refers to this type of computer application. In addition, the term *workbook* will refer to the book of pages that is the standard Excel document. The workbook can contain worksheets, chart sheets, or macro modules. Examiner provides an example for one of the editing functions that contains in the claim: Normal distribution is a graph representing the density function of the Normal probability distribution is also known as a Normal Curve or a Bell Curve. To draw such a curve, one needs to specify two parameters, the mean and the standard deviation i.e., ($\mu=0$, $\sigma=1$). A Normal distribution with a mean of zero and a standard deviation of 1 is also known as the *Standard Normal Distribution*. All formulas in Excel must begin with an equal sign (=). When a formula is entered into a cell, the formula itself is displayed in the formula bar when that cell is highlighted, and the result of the formula is displayed in the actual cell. When you are typing in formulas, do not type spaces; Excel will delete them). Office2000 in fig. 10 step 124 and 132 illustrates using spreadsheet. The steps are obvious; because Office2000 covers a plurality of the editing functions under main menu "Insert" then tab to "function", see pages 592-593. A person skill in the art would have been written a customized formula in a cell of a spreadsheet that links to rows or columns or both to display the results of data. Thus, it would have been obvious to one of ordinary skill in the art at

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the time of the invention to substitute applicant's described structure, with modification of a spreadsheet in Office2000 into Pierrats' invention and Powers's invention in order to apply various editing functions to selected variable and editing range.

Examiner's note: A theoretical frequency distribution for a set of variable data usually represented by a bell-shaped curve symmetrical about the mean. Also called *Gaussian distribution*. The mentioned tools imply mathematical process in the claim, as they are the basic tools of scientific and technological work.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Javid A. Amini whose telephone number is 571-272-7654. The examiner can normally be reached on 8-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kee Tung can be reached on 571-272-7794. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Javid A Amini
Examiner
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Javid Amini

A handwritten signature in black ink, appearing to read 'Javid Amini', with a long horizontal flourish extending to the right.